

REQUEST FOR REMOVAL OF MILITARY DISCHARGE OR REDACTION OF SOCIAL SECURITY NUMBER FROM A MILITARY DISCHARGE

1. Full Name of Veteran: _____

2. Name of Person Making Request: _____

3. If not the Veteran making the Request, identify the legal relationship that entitles the Person Making Request to make the Request: (check one)

- a. Surviving Spouse _____
- b. Attorney-in-Fact _____
- c. Personal Representative _____
- d. Court Appointed Guardian _____

4. Check (a) or (b):

- (a) Request Removal of Military Discharge Record _____
- (b) Request Redaction of social security identification number on Military Discharge Record (if practicable) _____

5. Type of Military Discharge Record _____

6. Book and Page Number or other Reference identifying where the Military Discharge Record is recorded in the _____ County Register's office:

Book No. _____ Page No. _____ or

_____ No. _____

7. Signature of Person Making Request:

State of Tennessee

County of _____

Personally appeared before me, (person duly authorized to take acknowledgments in [_____] County

the within named _____, with whom I am personally acquainted (or proven

to me on the basis of satisfactory evidence) and who acknowledges that such person executed the within

instrument for the purpose of making a request of the Register of Deeds of _____ County,

Tennessee, to remove a military discharge record or redact a social security identification number from a

military discharge record, excepting microfilm records.

Witness my hand this _____ day of _____, 20____.

(signature of person taking acknowledgment) _____

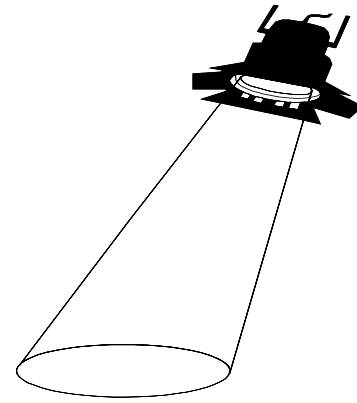
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The University of Tennessee
County Technical Assistance Service

SPOTLIGHT on CURRENT ISSUES

Executive Director's Memo
June 12, 2003



MILITARY DISCHARGE RECORDS: REMOVAL OR REDACTION OF SOCIAL SECURITY NUMBERS

Any veteran of the United States Armed Forces, or such veteran's surviving spouse, attorney-in-fact (holder of a power of attorney from the veteran), personal representative or court appointed guardian, may now request that a county register of deeds remove from the records of the office, except microfilm records, the military discharge of the veteran of record in the register's office. Also, instead of asking for the removal of the entire record, the veteran or person authorized to act for the veteran as noted above may ask the register to redact the veteran's social security number from the military discharge record. This new law (2003 Public Chapter 292) was signed by the Governor and became effective June 6, 2003.

This request must be made in writing on a form substantially similar to the one attached to this Spotlight. This form will identify the veteran by full name, identify the person making the request and if not the veteran, identify the legal relationship to the veteran, ask either for removal of the military, discharge or redaction of the social security number, state the type of military discharge record, and give the book and page or other reference where the military discharge is recorded in the register's office. The person making the request must sign the request form and have the signature acknowledged. The register has no duty to inquire beyond the acknowledged request to verify the identity or authority of the person requesting the removal. The completed request form is eligible for recording in the office of the county register where the military discharge it references is recorded. The register is to charge the standard document and computer fees (\$10 plus \$2) for recording this completed form. The register is to refuse the recording of the request and removal/redaction regarding the military discharge record unless the form is completed, signed, acknowledged and the required fees tendered.

Once the register accepts the request form for recording, the register must act according to the instructions of the request to either completely remove the military discharge record from the paper and/or electronic records of the

Spotlight on Current Issues, Military Discharge Records: Removal Redaction or SSNs, June 12, 2003.

office or redact the veteran's social security number from the identified military discharge. If it is not practicable (feasible) to redact the social security number, the register must so inform the person requesting the redaction, either verbally or in writing, and offer the alternative of complete removal of the record. It appears that in most instances it will be as feasible to redact the social security number as to remove the entire military discharge record, so this provision in the law should seldom, if ever, be used. Removal of the military discharge record means complete removal of the information (excepting information on microfilm records) from the records of the office. If the record is to be "removed," any method that permanently prevents the military discharge record from being read-- from physical removal of a paper copy to covering the writing on the document with suitable permanent black ink to deletion of the computer information -- should suffice to meet the standard of this statute.

This new law also provides that a county register shall not cause a military discharge record to be viewed over the Internet except through a subscription service approved by the county register.

Additionally, this new law places a duty on the preparer of *any document* recorded in the office of the county register to NOT place a social security number on the document, *other than a power of attorney*. However, the register is not to refuse the recording of a document because it contains a social security number. Also, the recording of a document with such a number or numbers will not invalidate the document.

Please contact your regional CTAS county government consultant if further clarification is needed.

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